

**UNITED STATES COURT OF APPEALS**  
**TENTH CIRCUIT**

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**October 18, 2006**

**Elisabeth A. Shumaker**  
**Clerk of Court**

ANTHONY C. KENNEY,

Plaintiff - Appellant,

v.

MELVA HARMON; MARK  
McCARTY,

Defendants - Appellees.

No. 06-5171

(N. D. Oklahoma)

(D.C. No. 06-CV-144-JHP-SAJ)

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**ORDER AND JUDGMENT\***

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Before **TACHA, HARTZ, and TYMKOVICH**, Circuit Judges.

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The district court dismissed the complaint of Anthony C. Kenney for lack of jurisdiction. On appeal Mr. Kenney fails to explain how the court erred in that

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\*After examining the brief and appellate record, this panel has determined unanimously that oral argument would not materially assist the determination of this appeal. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument. This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

regard. We AFFIRM.

ENTERED FOR THE COURT

Harris L Hartz  
Circuit Judge